

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1612 be amended to read as follows:

- 1 Page 2, line 20, after "offer." insert **"Payment accepted by a**
- 2 **creditor, servicer, or creditor's agent in connection with a short**
- 3 **sale constitutes payment in full satisfaction of the first lien**
- 4 **mortgage transaction unless the creditor, servicer, or creditor's**
- 5 **agent obtains:**
- 6 **(a) the following statement: "The debtor remains liable for**
- 7 **any amount still owed under the first lien mortgage**
- 8 **transaction."; or**
- 9 **(b) a statement substantially similar to the statement set forth**
- 10 **in subdivision (a);**
- 11 **acknowledged by the initials or signature of the debtor, on or**
- 12 **before the date on which the short sale payment is accepted."**
- 13 Page 2, delete lines 21 through 32.
- 14 Page 7, line 2, delete "If the written offer by or on behalf of the" and
- 15 insert **"Payment accepted by a creditor, servicer, or creditor's agent**
- 16 **in connection with a short sale constitutes payment in full**
- 17 **satisfaction of the mortgage transaction unless the creditor,**
- 18 **servicer, or creditor's agent obtains:**
- 19 **(a) the following statement: "The debtor remains liable for**
- 20 **any amount still owed under the mortgage transaction."; or**
- 21 **(b) a statement substantially similar to the statement set forth**
- 22 **in subdivision (a);**
- 23 **acknowledged by the initials or signature of the debtor, on or**
- 24 **before the date on which the short sale payment is accepted."**

- 1 Page 7, delete lines 3 through 12.
- 2 Page 9, line 16, delete "If the written offer by or on behalf of the"
- 3 and insert "**Payment accepted by a creditor, servicer, or creditor's**
- 4 **agent in connection with a short sale constitutes payment in full**
- 5 **satisfaction of the mortgage transaction unless the creditor,**
- 6 **servicer, or creditor's agent obtains:**
- 7 (a) the following statement: "The debtor remains liable for
- 8 any amount still owed under the mortgage transaction."; or
- 9 (b) a statement substantially similar to the statement set forth
- 10 in subdivision (a);
- 11 acknowledged by the initials or signature of the debtor, on or
- 12 before the date on which the short sale payment is accepted."
- 13 Page 9, delete lines 17 through 26.
- (Reference is to HB 1612 as printed February 18, 2009.)

Representative Bardon